

Remarks

Claims 80-103 are pending in the subject application. Claims 89, 96-99 and 103 have been withdrawn from consideration as being drawn to nonelected subject matter. Entry and consideration of the arguments presented herein is respectfully requested. Accordingly, claims 80-88, 90-95 and 100-102 are currently before the Examiner and favorable consideration of the pending claims is respectfully requested.

Claims 80-88, 90-95 and 102 have been rejected under 35 U.S.C. § 103(a) as obvious over BioNews (2002) as evidenced by Espinosa *et al.* (2001). Claims 100 and 101 have been rejected under 35 U.S.C. § 103(a) as obvious over BioNews (2002) as evidenced by Espinosa *et al.* (2001) and further in view of Negrier *et al.* (1998). Applicants respectfully submit that the BioNews reference is not prior art to the claimed invention. Applicants submit, herewith, a Declaration under 37 C.F.R. § 1.131 antedating the BioNews reference. As stated in the Declaration, the claimed invention was conceived and reduced to practice prior to the critical date (July 8, 2002) in France, a WTO member state. Accordingly, it is respectfully submitted that the cited reference is not prior art to the instantly claimed invention and reconsideration and withdrawal of the rejection of record is respectfully requested.

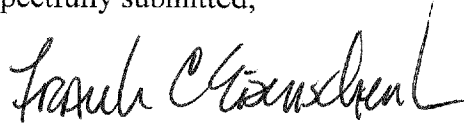
Applicants expressly reserve the right to pursue the invention(s) disclosed in the subject application, including any subject matter canceled or not pursued during prosecution of the subject application, in a related application.

In view of the foregoing remarks, Applicants believe that the currently pending claims are in condition for allowance, and such action is respectfully requested.

The Commissioner is hereby authorized to charge any fees under 37 CFR §§1.16 or 1.17 as required by this paper to Deposit Account No. 19-0065.

Applicants invite the Examiner to call the undersigned if clarification is needed on any of this response, or if the Examiner believes a telephonic interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,



Frank C. Eisenschenk, Ph.D.

Patent Attorney

Registration No. 45,332

Phone No.: 352-375-8100

Fax No.: 352-372-5800

Address: P.O. Box 142950  
Gainesville, FL 32614-2950

FCE/sl

Attachment: Declaration under 37 C.F.R. § 1.131